
TIGARD CITY COUNCIL
MEETING

OCTOBER 21, 2003 6:30 p.m.

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



PUBLIC NOTICE:

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- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead-time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting date by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL WORKSHOP MEETING
OCTOBER 21, 2003

6:30 PM

1. **WORKSHOP MEETING**
 - 1.1 Call to Order - City Council
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non Agenda Items

2. **JOINT MEETING WITH THE INTERGOVERNMENTAL WATER BOARD –
UPDATE ON LONG-TERM WATER SUPPLY**
 - Staff Report: Public Works Staff

3. **JOINT MEETING WITH THE SENIOR CENTER BOARD**
 - Staff Report: Administration Staff

4. **UPDATE ON PURCHASING AND CONTRACT MANUAL**
 - Staff Report: Finance and Administration Staff

5. **REVIEW OF THE CITY OF TIGARD AND TRI-MET MEMORANDUM OF
UNDERSTANDING AND LOCAL AREA PLAN**
 - Staff Report: Community Development Staff
 - Presentation by Tri-Met Representatives

6. **PREVIEW OF PROPOSED STREET MAINTENANCE FEE DRAFT ORDINANCE
AND RESOLUTION**
 - Staff Report: Engineering Staff

7. **COMMUNICATION PLAN UPDATE**
 - Staff Report: Liz Newton

8. **COUNCIL LIAISON REPORTS**

9. NON-AGENDA ITEMS

10. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

11. ADJOURNMENT

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AGENDA ITEM # _____
FOR AGENDA OF October 21, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Quarterly Water Update

PREPARED BY: Dennis Koellermeier DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

The City continues to make progress on a variety of issues since the last Council update regarding Tigard's efforts to secure a long term water supply as well as to capacity increasing projects. This will be the fourth joint meeting with the Intergovernmental Water Board where City staff will brief the Council and IWB on the most current information available regarding both our relationship with the City of Portland and our efforts to become members of the Joint Water Commission. In addition, an update will be provided relating to the second phase of the Aquifer Storage Recovery Program and Alberta Rider School Reservoir.

STAFF RECOMMENDATION

No action is recommended at this time

INFORMATION SUMMARY

The City has been actively pursuing ownership in a long term source of water. Past and current Council goals, as well as the visioning process, have consistently directed the City to this goal. We have been working on two projects to this end, one being the regionalization of the Bull Run System and the other being membership in the Joint Water Commission. Since the City of Portland has withdrawn their support of a regional agency, Tigard, along with other suburban wholesalers, are now focusing on the renegotiations of new wholesale water contracts. This process has been underway since May 2003 and staff will present a status report on the progress.

At the same time, progress is being made in our efforts to gain membership into the Joint Water Commission. The current members of the Commission have directed their staff to negotiate the general terms under which Tigard would become a member. Tigard is currently requesting a membership that is based on the ability to obtain a firm 4 million gallons a day supply from the Commission.

Staff will present a status report on the Tualatin River Basin Water Supply Study. Due to the withdrawal of three communities, the reallocation of water costs requires a 2nd amendment to the Joint Funding Agreement. In addition, the City continues to pursue options for increasing current capacity. The second phase of the Aquifer Storage Recovery Program has been approved by the IWB. The Alberta Rider School Reservoir is another project currently underway. Staff will present a report on the process.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Current Council Goals and the Visioning document identify the desire to obtain a long term water supply as well as to increase capacity.

ATTACHMENT LIST

Power Point – Quarterly Water Update

Memorandum – Joint Funding Agreement 2nd Amendment and Cost reallocation

Amendment – Second Amendment to Joint Funding Agreement for IWRM Water Supply Feasibility Study

Spreadsheet – Tualatin Water Supply Feasibility Study: Water Share and Cost Reallocation

Scope of Work – Scope of Work and Budget Estimate – Year 2003/2004 Tigard ASR Expansion Project

FISCAL NOTES

N/A

Quarterly Water Update

IWB & City Council Workshop

City of Tigard
Public Works Department Water Division
October 21, 2003

Long Term Options

Continue to pursue:

- Wholesale negotiations with the City of Portland
- Membership in the Joint Water Commission

Portland Wholesale Negotiations

Negotiation participants include:

- City of Gresham
- City of Tigard
- City of Tualatin
- Rockwood PUD
- Tualatin Valley Water District
- West Slope Water District

Wholesale Contract Issues

- Rates
 - Developed several proposals
 - Now focusing on a comparative structure
 - Comparative rates being developed for:
 - Portland
 - JWC
 - Willamette

Joint Water Commission

- Membership is “on track”
 - Continue to work on a draft agreement
 - Agreement is based on 4 MGD
 - Facilities will be leased
 - Continue to lease until capacity increasing projects are permitted

Future JWC Projects

- Raw Water Pipeline
- IWRM Water Supply Feasibility Study
 - Scoggins Dam Raise and/or alternatives
 - Sein Creek Tunnel

Joint Funding Agreement (2nd Amendment)

- Purpose of 2nd Amendment
 - Reallocation of water and costs
 - Three communities have withdrawn:
 - City of Banks
 - City of Cornelius
 - City of North Plains
- Tasks to be completed
 - Planning Report and Draft EIS
 - Final EIS
 - Permitting

Tigard Costs

- Costs for Next Phases
 - 2003/04 = \$239,533
 - 2004/05 = \$389,484
- Next Step
 - On Council Consent Agenda 10-28-03

Short-Term Water Projects

- Aquifer Storage Recovery Program
- Alberta Rider School Reservoir

Aquifer Storage Recovery Program

- IWB approved Phase II
- Phase II includes:
 - New production well at the 10 MG reservoir site
 - New test well near Baggenstos Site
- Traditional Design-Bid-Build Approach
 - Adds several decision points and minimizes risks

Production Well Schedule

- Production Well #2
 - Located at 10 MG reservoir site
 - Construction proposed for December 2003
 - Begin injection in Fall of 2004
 - Begin withdraw in Summer 2005

Production Well #2 (10 Million Gallon Reservoir Site)



Test Well Schedule

- Baggenstos Test Well
 - Drilling proposed for Spring 2004
 - Test in Winter of 2004
 - Develop and begin injection in 2005
 - Withdrawal in 2006

Test Well Location (Baggenstos Site)



Engineering Services

- Agreement negotiated with GSI:
 - Selected by competitive process in April 2003
 - RFP identified the option to either:
 - negotiate with GSI, or
 - competitively re-bid
 - Staff recommends to renegotiate contact
 - Formal request of Council on 10-28-03

Rider School Reservoir

- Parties have agreed to a reservoir location
- Test borings will be drilled by the end of October
- Submittal of CUP Application is pending
- Continue work with MSA regarding:
 - analysis of upgrade at the 10 MG Reservoir Site
 - piping from new reservoir to the 550-foot zone
 - final design of the reservoir

Next Update

January 20, 2004
City Council & IWB Workshop

MEMORANDUM

Date: September 30, 2003

To: Tualatin Water Supply Feasibility Study Partners

From: Tom VanderPlaat, Water Supply Feasibility Study Project Manager

Subject: Joint Funding Agreement 2nd Amendment and Cost reallocation

Please find attached the following documents for the Joint Funding Agreement – 2nd amendment:

1. Joint Funding Agreement – 2nd Amendment document
2. Exhibit B - Schedule of payments for FY 03-04 and FY 04-05
3. Tasks and cost estimate for environmental impact statement (EIS) and permitting phase for FY03-04 and FY04-05.
4. Reallocation Review of Water and Costs – based on partner withdrawals (dollar figures differ slightly due to rounding)
5. Review of Overall Project costs for a \$150 million dollar water supply improvement.

The reallocation of the water and costs are based on the withdrawal of Cities of Cornelius, Banks and North Plains. In 2001, the Municipal and Industrial (M&I) volumes were reduced to meet the target volume of 50,600 acre-feet. At the September 17, Water Managers Group meeting, the following rational for reallocation was developed. The rational for reallocation is based on the following:

1. City of Cornelius had originally requested 2,500 acre-feet. This share was provided to City of Hillsboro based on the City of Cornelius being a current wholesale customer of City of Hillsboro.
2. Cities of Banks and North Plains originally requested 1,000 acre-feet each. The 2000 acre-feet was reallocated to all M&I partners, based on the reduction from the original requests.
3. A review of the storage volume for the dam raise sources options showed an increase of available volumes of 1,550 acre-feet. This water volume was reallocated based on the partner's percentage share.

The spreadsheets provide information on the reallocation impacts on the Joint Funding agreement – 2nd amendment and overall project costs. The reallocation and costs share do not include any federal funding assistance with the exception of the cost share agreements with the Corp of Engineers – Flood Study and US Geological Survey (USGS) – Hagg Lake Water Quality Modeling. Both of these cost share agreements are 50% federal share and 50% local matching funds. There no information on the level of funding for FY03-04 from the Bureau of Reclamation until their budget approved by Congress.

MEMO

**SECOND AMENDMENT
TO JOINT FUNDING AGREEMENT FOR
IWRM WATER SUPPLY FEASIBILITY STUDY**

This Amendment, dated _____, 2003, is between Clean Water Services ("District"), formerly known as Unified Sewerage Agency, a county service district formed by authority of ORS 451, the Tualatin Valley Water District, a domestic water district formed by authority of ORS 264 and the cities of Hillsboro, Beaverton, Forest Grove, Tigard, Sherwood, and Tualatin, all municipal corporations of the State of Oregon (Partners) and amends the parties' Joint Funding Agreement – IWRM Water Supply Feasibility Study dated June 20, 2001 ("Joint Funding Agreement").

RECITALS:

1. The parties previously entered into the Joint Funding Agreement under which the parties agreed to jointly fund a study of the feasibility of alternative approaches to increasing the water supply, as well as the "no action alternative."
2. The parties now wish to amend the Joint Funding Agreement in order to fund additional tasks to complete the Water Supply Feasibility Study (Study), Planning Report/Draft Environmental Impact Statement, Final Environmental Impact Statement and Permitting.

TERMS AND CONDITIONS

1. From the effective date of the Joint Funding Amendment, Partners shall compensate District for each party's share of the cost of the Study as provided in Section 2 of the Joint Funding Agreement. A revised payment schedule is included as Exhibit B.

Total payment to District for compensation for services provided during fiscal years 2003-2004 and 2004-2005 shall not exceed \$3.23 million.

2. The First Amendment to the Joint Funding Agreement amended Section 4 from \$734,000 to \$1,237,400. Section 4 is hereby amended as follows:

"\$1,237,400" is changed to "\$4,467,400".

3. Exhibit A of the Joint Funding Agreement is amended by replacing it with Exhibit A of this Amendment.
4. This Amendment shall be effective upon signing of all parties.

5. Except as amended herein, the initial Joint Funding Agreement shall remain in full force and effect.

The above is hereby agreed to by the parties and executed by the duly authorized representative below:

CLEAN WATER SERVICES

APPROVED AS TO FORM:

By: _____

By: _____
District General Counsel

Date: _____

TUALATIN VALLEY WATER DISTRICT

APPROVED AS TO FORM:

By: _____

By: _____
Attorney

Date: _____

CITY OF HILLSBORO

APPROVED AS TO FORM:

By: _____

By: _____
Attorney

Date: _____

CITY OF BEAVERTON

APPROVED AS TO FORM:

By: _____

By: _____
Attorney

Date: _____

CITY OF FOREST GROVE:

APPROVED AS TO FORM:

By: _____

By: _____
Attorney

Date: _____

CITY OF TIGARD

By: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Attorney

CITY OF SHERWOOD

By: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Attorney

CITY OF TUALATIN

By: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Attorney

Exhibit A

SCOPE OF WORK AND PROJECT ELEMENTS

WATER SUPPLY PROJECT

The following is a review of the various phases and project elements:

Phase 1 – Draft Planning Report and Draft Environmental Impact Statement (PR/DEIS)

1. Project Plan and Kickoff
2. Review Water Supply Feasibility Study and Related Work
3. Overall Water Management Strategic Plan, Operating Principles and Water Rights
4. Natural Environment – Earth Resources
5. Natural Environment – Biological (Land, Air and Water)
6. Human Environment – Surface water
7. Human Environment – Groundwater, Air, Noise, Hazards and Nuisances
8. Human Environment – Historic and Cultural Resources
9. Human Environment – Economics
10. Human Environment – Recreation
11. Public Involvement
12. NEPA Notices and other correspondence
13. Project Management

Phase 2 – Final Environmental Impact Statement, Record of Decision, and permit negotiations

1. Final Environmental Impact Statement and Record of Decision (ROD)
2. Permitting

Additional Project Elements

The following are additional Project elements handled with separate contracts or agreements:

1. Governmental Affairs Consultant – A consultant contract to continue efforts to secure federal project authorization and funding assistance.
2. Bureau of Reclamation Technical and Engineering Services
 - a. Seismic (earthquake) Study – A cooperative seismotectonic study of the existing dam and 20 foot and 40 foot raised impacts

- b. Road Relocation Preliminary Design – A preliminary survey and design of Scoggins Valley road relocation areas.
 - c. Revised dam inundation study - a revise inundation study for raised dam and updated information on downstream impacts.
 - d. New outlet facilities – Preliminary design of a new outlet works including study of a variable level intake tower.
 - e. Lands Review Coordination – To coordinate with Reclamation Lands resources staff on review of lands acquisition needs and requirements.
- 3. Climate Change Impacts Study Contract – Completion of the Climate Change Study to review the impacts of global climate change on the Tualatin Watershed.
 - 4. Corps of Engineers Flood Control Study – A cooperative Study with the Corps of Engineers to evaluate the flood control benefits of the Sain Creek Tunnel and Scoggins Dam raises.
 - 5. Hagg Lake Water Quality Modeling Study – A cooperative agreement with USGS to construct a model of Hagg Lake, including flow, temperature and water quality. The model will assist in determining the release changes to Hagg Lake with a raised dam and additional water storage volumes. Several modeling scenarios will be run to address issues of impacts within the lake and storage releases.
 - 6. Lands Easement and Options Services – To research the potential land easement and option needs for the preferred alternative.
 - 7. Clean Water Services Project Management – Continued project management and staff support for the Project.
 - 8. Miscellaneous expenses – The tasks and elements of the project not currently provided for in the above listed items.

Tualatin Water Supply Feasibility Study
Water Share and Cost Reallocation

9/18/2003

Update of Water and Cost Reallocation

ATTACHMENT #2

	Existing	Requests	Total	% Share	FY01-03 Costs	2002 Allocations	Adjustments	Original Allocations	% Share	Adjustments	New Allocations	% Share	FY03-04 Costs	FY04-05 Costs
Water Quality														
USA	12,618	15,000	27,618	28.12%	\$347,910	15,000	0	15,000	29.21%	453	15,453	29.21%	\$359,299	\$584,226
M&I														
City of Tigard	0	10,000	10,000	18.74%	\$231,940	9,500	500	10,000	19.47%	302	10,302	19.47%	\$239,533	\$389,484
TVWD	0	10,000	10,000	18.74%	\$231,940	9,500	500	10,000	19.47%	302	10,302	19.47%	\$239,533	\$389,484
City of Hillsboro	5,000	5,000	10,000	9.37%	\$115,970	4,600	2,900	7,500	14.61%	226	7,726	14.61%	\$179,649	\$292,113
City of Beaverton	4,000	4,000	8,000	7.50%	\$92,776	3,600	400	4,000	7.79%	121	4,121	7.79%	\$95,813	\$155,794
City of Sherwood	0	2,000	2,000	3.75%	\$46,388	1,800	200	2,000	3.89%	60	2,060	3.89%	\$47,907	\$77,897
City of Tualatin	0	1,850	1,850	3.47%	\$42,909	1,700	150	1,850	3.60%	56	1,906	3.60%	\$44,314	\$72,055
City of Forest Grove	4,500	1,000	5,500	1.87%	\$23,194	900	100	1,000	1.95%	30	1,030	1.95%	\$23,953	\$38,948
City of Cornelius	0	2,500	2,500	4.69%	\$57,985	2,000	0	0		0	0		\$0	\$0
City of North Plains	0	1,000	1,000	1.87%	\$23,194	1,000	0	0		0	0		\$0	\$0
City of Banks	0	1,000	1,000	1.87%	\$23,194	1,000	0	0		0	0		\$0	\$0
Lake Oswego Corp	500	0	500	0.00%	\$0									
Total M&I	14,000	38,350	52,350			35,600	4,750	36,350	70.79%	1,097	37,447	70.79%	\$870,701	\$1,415,774
Sub Total	26,618	53,350	79,968	100.00%	\$1,237,400	50,600	4,750	51,350	100.00%	1,550	52,900	100.00%	\$1,230,000	\$2,000,000
							1,550						\$1,230,000	\$2,000,000
Irrigation(existing)	27,022	0	27,022			27,022		27,022						
Fish and Wildlife														
Recreation*	6,900					6,900								
Hydro power														
Flood Management														
Total	53,640	53,350	106,990			77,622	6,300	83,922						
Feasibility Report Estimate					\$1,237,400		6,300							
*Non-active pool														

Notes: Cornelius original allocation of 2500 acre-feet allocated to Hillsboro. Banks and North Plains allocation of 2000 acre-feet allocated to M&I reduction adjustment.
Revised storage volume to reflect updated capacity for an increase of 1,550 acre-feet. This volume is reallocated on percentage share basis

Date 9/30/2003

EXHIBIT B
PAYMENT SCHEDULE
(Based on reallocation)

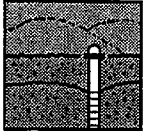
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Tualatin Water Supply Project - DEIS/FEIS Phase
Environmental Impact Statements and Permitting Phase Costs
Project Manager - Tom VanderPlaat

9/30/2003

Expenses Review

Project Elements		FY 03-04	FY04-05	Percent
	Total Costs	Costs	Costs	Complete
DEIS/FEIS Contract	\$1,900,000	\$600,000	\$1,300,000	100%
Governmental Affairs	\$160,000	\$80,000	\$80,000	**
Bureau of Reclamation Contract				
Seismic Review	\$75,000	\$5,000	\$70,000	100%
Road Relocation	\$160,000	\$120,000	\$40,000	**
Dam Induration	\$40,000	\$10,000	\$30,000	**
New Outlet Predesign	\$70,000	\$40,000	\$30,000	100%
Lands Review Coordination	\$25,000	\$25,000	\$0	**
Sub Total	\$370,000			
Climate Change Study - U of W	\$10,000	\$10,000	\$0	100%
Flood Study - Corps of Eng ***	\$45,000	\$35,000	\$10,000	**
Lake Water Quality - USGS ***	\$40,000	\$40,000	\$0	100%
Lands Easement/Options	\$250,000	\$30,000	\$220,000	**
CWS Project Management	\$320,000	\$160,000	\$160,000	100%
Misc Expenses	\$135,000	\$75,000	\$60,000	100%
Total	\$3,230,000	\$1,230,000	\$2,000,000	
*** - 50% Cost Share (not included)				
** - Task completion percentage cannot be determined				

**Groundwater Solutions Inc.**

3758 SE Milwaukie Ave. Portland, Oregon 97202
ph:503.239.8799 fx:503.239.8940 e:groundwatersolutions.com

Scope of Work and Budget Estimate – Year 2003/2004 Tigard ASR Expansion Project

PREPARED FOR: Dennis Koellermeier – City of Tigard
Rich Sattler – City of Tigard

PREPARED BY: Larry Eaton, R.G. – Groundwater Solutions, Inc.
Jeff Barry, R.G. – Groundwater Solutions, Inc.
Jason Melady, G.I.T. - Groundwater Solutions, Inc.

Copy Chris Uber, P.E. – Murray Smith & Associates, Inc.
Brian Ginter, E.I.T. – Murray Smith & Associates, Inc.

DATE: September 30, 2003

Introduction

This memorandum presents a scope of work and budget for expanding the City of Tigard's (City) Aquifer Storage and Recovery (ASR) program. Groundwater Solutions Inc. (GSI) is the overall project lead and will manage the hydro-related tasks. Murray Smith and Associates (MSA) is teamed with GSI and will be the project engineer. Specifically, MSA will be the design lead for the proposed pump station. This scope and budget was prepared with input from both GSI and MSA.

Background

Tigard recently completed an ASR pilot test program in 2002 using City well COT-1R under Limited License No. 005. The City currently is using the same well to inject, store and recover water during 2003. During this year approximately 115 million gallons (MG) of source water (Portland Bull Run) was stored in the basalt aquifer beneath the Canterbury site using COT-1R. This stored water is being recovered this summer at a rate of approximately 1 million gallons per day (MGD) to meet peak summer water demands.

Given the success of the current ASR program, the City commissioned the GSI/MSA team to evaluate the potential for additional ASR well sites to store and retrieve greater volumes of water that the City could use to off-set peak demands. GSI/MSA presented an ASR program expansion report that outlined and ranked the following five sites suitable for ASR expansion:

- Baggenstos – Reservoir No. 5 (Ranking score 41.6)
- 10 MG Reservoir site (Ranking score 37.6)
- Progress – Menlor Reservoir (Ranking score 34.6)
- Tigard Well #3 (Ranking score 34.3)
- Canterbury Well #1 (Ranking score 34.1)

The 10 MG reservoir site and the Baggenstos site were ranked highest. The expansion report recommended installing a large-diameter ASR well at the 10 MG reservoir site and to simultaneously explore the Baggenstos site with a test well. Based on discussions with the City, we understand that the City would like to move forward with the report's recommendations, but would like to incorporate drilling a pilot hole at the 10 MG reservoir site to minimize risks associated with drilling a full size ASR well. The tasks necessary to achieve the goals of developing the 10 MG site and exploring the Baggenstos site are presented in this scope of services. Specifically, the following main tasks are presented:

- Task 1 – Complete necessary ASR permitting and land use permitting for the proposed ASR system at the 10 MG site and for drilling a test well at the Baggenstos site.
- Task 2.1 – Drill a 20-inch large diameter ASR production well at the 10 MG site. The well will be first drilled using a pilot hole (12-inch to 16-inch), tested to ensure the formation is sufficiently permeable enough to host a 1 MGD ASR system prior to reaming and completing it as a 20-inch ASR production well.
- Task 2.2 – Design, bid and build the 10 MG ASR pump station
- Task 3 – Install a test well at the Baggenstos site and evaluate its suitability for hosting another 1 MGD ASR system.
- Task 4 – ASR Operational Support Year 2004.

Scope of Services

The following scope of services presents detailed tasks and subtasks in order to achieve the goal of installing a 1 MGD ASR well/pump station at the 10 MG site, and also testing the feasibility of developing another ASR system at the Baggenstos site.

Task 1 – Permitting

We have assumed that the City will assist with the permitting effort especially related to land use approval. In addition, we have assumed that the City will pay for all permit fees. Detailed permits necessary for the project are presented below.

Subtask 1.1 ASR Limited License Addendum

We will prepare an addendum to the City's ASR Limited License No. 005 to include the 10 MG and the Baggenstos sites. This subtask will include preparing ASR well test plans for both sites. Please note that the City's current ASR Limited License includes only three ASR test wells. We will also explore with the Oregon Water Resources

Department (OWRD) the option of adding potential ASR test sites beyond the three targeted thus far: COT-1R, 10 MG site, and Baggenstos.

Subtask 1.2 Additional Project Permitting

In addition to the Limited License addendum, several other permits must be obtained for each element of the project. These permits are described below:

- Well drilling at the 10 MG site and the Baggenstos site

Applicable permits for well drilling will be identified in the technical specifications for the well drilling bid documents. The selected well drilling contractor will obtain all permits associated with well drilling.

- Construction building permits – 10 MG site only

Construction building permits will be required to construct a well house and associated facilities at the 10 MG site. As this property is within City limits, these permits will be issued by the City of Tigard. It is anticipated that the selected construction contractor will obtain these permits.

- Underground Injection Control (UIC) registration – 10 MG and Baggenstos ASR wells

Each of the new ASR wells (10 MG and Baggenstos sites) will be required to be registered under the DEQ UIC program as a Class V injection well. The registration requires an application and fee. GSI will prepare the application for the 10 MG reservoir site.

- Land use permits – 10 MG site only

Land use approvals will be required to construct a well house and associated facilities at the 10 MG site. As this property is within the City limits, these approvals will be issued by the City of Tigard. It is anticipated that among items required for consideration within the approval process are setbacks, building type, noise abatement, related site improvements, access and landscaping requirements. As previously discussed, we understand that the City will take the lead role on obtaining a land use permit for the 10 MG site. As such, our consulting team will provide a support role for this subtask

- Water Rights Transfer Application – Adding 10 MG and Baggenstos wells

One of the recommendations presented in the ASR expansion report included adding new ASR wells as additional points of appropriation to the City's existing water rights. Pumping native groundwater is the least expensive water supply alternative the City has available. Consequently, it is in the City's best interest to first pump native groundwater and then to utilize ASR to mitigate water level declines in the aquifer, if they occur, and

to improve water quality if that is an issue. To that end, this subtask includes adding the new 10 MG ASR well and the Baggenstos test wells as additional points of appropriation to the City's existing water rights. To ensure that the City can pump native groundwater from the 10 MG site in 2004 a water resources limited license will be submitted, since the transfer may take the majority of 2004 to complete.

- ❑ Discharge permit(s) for handling short-term discharges for the 10 MG site ASR well

A discharge permit is required for discharging water as part of normal ASR operations (back flushing). Anticipated discharges include groundwater and source water discharges that will require a discharge permit from the City and/or DEQ. We have assumed that the City will take the lead for this subtask and that our team will play a support role.

- ❑ Oregon Health Division Plan Reviews – 10 MG ASR Well and Pump Station

The Oregon Department of Health Services (DHS) requires plan reviews for the proposed ASR water supply well and the pump station. Our team will prepare the necessary permit applications and submit it to DHS. For new wells, DHS also requires submittal of as-builts, well test results, water quality results and plans for the design of wellhead improvements and connections to the water system prior to approving the use of the new source. Our team will follow-up with DHS to ensure that the necessary data are submitted to the agency for approving use of the City's new well.

Task 2 – 10 MG ASR Facility Design and Construction Services

ASR System Design

The basic design elements necessary for developing an ASR system at the 10 MG site includes the following:

- ❑ ASR production well – prior to completing the hole by reaming it larger, an intermediate pump test will be completed to evaluate the well's potential yield.
- ❑ Wellhead improvements
- ❑ Water system infrastructure improvements
- ❑ Pump-to-waste facilities

It is anticipated that the ASR production well drilling will be constructed using the City's current design/bid/build procurement procedures under a contractual agreement between the City and the well drilling contractor. A pre-qualifications step for the well drilling will be completed prior to bidding the project. The wellhead improvements, water system infrastructure improvements and pump-to-waste facilities will be constructed using the same procedures following completion of well drilling and system design. Subtask 2.1 includes the design, bidding and construction of the ASR production well.

Subtask 2.2 includes the design, bidding and construction of the remaining elements. These are described in greater detail below.

Key Assumptions:

- It is assumed that the City will prepare the contract documents and that the consultants will prepare the technical specifications for each project element.
- It is assumed that the City will bid and advertise the projects.

Subtask 2.1 – ASR Production Well – 10MG site:

The conceptual design elements required for an ASR production well at the 10 MG site are based on the hydrostratigraphy and aquifer test results from City owned wells (No. 2 and No. 4) and other wells completed in this part of Bull Mountain. The general considerations for the well design are the casing depth, total depth of the well, use of a liner, and the potential for corrosion as it pertains to casing and liner materials and wall thicknesses.

To mitigate some of the risk associated with developing the 10 MG site, it is recommended that a 12- to 16-inch diameter pilot hole be drilled first and tested prior to reaming the borehole to the target diameter of 20-inches. An intermediate airlift test, to evaluate general aquifer performance criteria, would be completed using the pilot hole. The pilot hole would not be reamed if hydraulic data indicate that the site will not support a 1 MGD ASR system, but instead would most likely be completed as a lower yield ASR well or it could simply be completed as a native groundwater production well. The City would realize an estimated 20-25% reduction in the overall drilling cost if the well were not reamed to the target diameter.

The general steps to drill the well at the 10 MG site would include the following:

- Drill a 16-inch pilot hole to total depth.
- Complete a short-term (8 hours) airlift test to evaluate well hydraulics. Assuming data are positive:
- Ream the upper borehole (0-100 feet bgs) to 24-inch, install 20-inch liner and grout to surface
- Ream lower borehole to 20-inch to total depth
- Install screen and casing assembly (assuming well is lined to protect pump column).

A 14-inch to 16-inch diameter screen liner assembly may be set in the lower borehole to prevent any potential for sloughing or collapse of the open borehole walls. Because of the large wetted length of the production casing during ASR operations, an assessment of corrosion potential will be conducted during the well design process to determine what materials and wall thicknesses are appropriate for the production casing and liner assemblies.

Subtask 2.1.1 -- Well Drilling Specification and Contract Document Preparation:

Work under this subtask includes preparing contract documents and providing public bidding and contractor selection services for the construction and installation of the production well. This effort anticipates using existing City procurement procedures for the selection and procurement of the well construction contractor. Subtask elements include the following:

1. Prepare design criteria, technical specifications and drawings for well construction suitable for competitive public bidding. The technical specifications will include a pre-qualification section. This would include ensuring that the drillers bidding on the project would have the following experience at a minimum:
 - a. Experience drilling deep (greater than 500 feet) basalt water supply wells.
 - b. Experience with reverse circulation drilling methods.
 - c. Experience with completing large (greater than \$250,000) drilling projects.
2. The technical specifications will include identifying applicable permit requirements for drilling and discharge of drilling and testing water.
3. The preparation of contract documents consistent with current City standards for the procurement of construction contractor services.
4. Develop well drilling contractor prequalification requirements in accordance with City codes and ordinances.
5. Discuss the project with local drilling contractors to promote interest in the project.
6. Prepare for and attend a pre-bid conference at the well site.
7. Provide assistance with preparing necessary addenda.
8. Attend the bid opening, review bids and prepare a letter recommending construction contract award.

Subtask 2.1.2 -- Well Drilling and Construction Phase Services:

Work under this subtask includes the following elements:

1. Provide periodic field observation of drilling, well construction and development activities. It is anticipated that well drilling, completion and development of the well will require six to eight weeks to complete.
2. Develop and maintain a field log during drilling by reviewing and interpreting geologic materials collected by the contractor.
3. Develop a detailed log of the basalt stratigraphy based on visual observation and chemical analysis of rock chip samples from selected intervals.
4. Prepare an as-built diagram of the well.
5. Assist the City staff with day-to-day administration of the drilling contract through review of the contractors work, pay application review, and review of requests for changes.
6. Attend a progress meeting with the City and project team.

Subtask 2.1.3 -- Aquifer Testing:

The purpose of the aquifer testing is to determine injection and pumping rates, injection and pumping levels, and target storage volume. These efforts will be coordinated with the well drilling contractor.

Key Assumption

- We have assumed that City staff will assist with collecting field data during the aquifer tests.
- We have also assumed that the City will buy a water quality meter (\$3000), and pay for laboratory testing directly (\$2800).

Work subtasks include the following steps:

- *Water Level Monitoring:* Work under these subtasks includes establishing a baseline water level monitoring network and collecting baseline groundwater elevation data prior to the aquifer tests from up to two nearby observation wells and the production well. Baseline data from the production well will be obtained electronically with a pressure transducer and data logger system. Baseline data from observation wells will be obtained by hand-level measurements.
- *Step Rate Drawdown Test:* Work under this subtask includes the completion of a 4-hour step drawdown test. The purpose of this test is to evaluate well performance and to select a pumping rate for the constant rate test. The test will consist of four 1-hour steps conducted at increasing flow rates one to two days prior to the constant rate test. Groundwater levels will be measured in the exploratory well using a 100-psi pressure transducer and electronic data logger. The step test data will be analyzed to determine well efficiency and the optimal pumping rate for the constant rate test. The well will be allowed to recover a minimum of approximately 12 hours after completing the step test and prior to initiating the constant rate test.
- *Constant Rate Test:* This subtask includes completing a 96- to 120-hour constant rate aquifer test. The purpose of the constant rate well test is to impose a long duration stress on the aquifer to evaluate aquifer productivity, boundary conditions, and water quality conditions relevant to ASR feasibility. Water levels will be electronically monitored in the well. Hand level measurements will also be collected from the well and up to two observation wells, if suitable candidates can be identified and accessed.
- *Recovery Water Level Monitoring:* This subtask includes monitoring water level recovery in the test well and two observation wells at a minimum for up to five days by electronic and hand-level measurement methods.

- **Data Compilation:** Work under this subtask includes compiling and interpreting the test data gathered under the above subtasks to determine short and long-term aquifer hydraulic parameters and to identify potential boundary conditions. The interpreted data will be used to determine pumping and injection rates and storage volumes at the well location. Work under this subtask also includes a review meeting with City staff to review the results. A brief technical memorandum summarizing drilling and aquifer test results will be prepared as part of this subtask.

Subtask 2.2 – Wellhead improvements, water system infrastructure improvements and pump-to-waste facilities:

The portion of the ASR well project consists of design and installation of the pump, well house and related facilities. The project will include the following:

- **Well house structure.** The architectural style and building configuration of the new well house structure will be determined during the preliminary design phase, with input from City staff. The footprint of the structure will be approximately 30 feet by 20 feet (576 square feet) with separate interior room for disinfectant equipment. The facility will include appropriate building systems including lighting, heating and ventilation and fire and life safety.
- **Pumping system.** The project will include a line shaft vertical turbine type pump with a motor of up to 200 HP. Piping and valving including injection piping, isolation and control valves will be installed. The well house will be connected to the existing distribution system.
- **Electrical power system and instrumentation and control system.** Power supply to the station will be from the existing primary voltage electrical system located along SW Bull Mountain Road. A pad-mounted transformer will be installed on the site to provide 480-volt 3-phase service to the structure. A motor control center and associated electrical work will be installed inside the structure. Instrumentation and control systems will be installed and will be incorporated into the City's existing telemetry system.
- **Disinfection system.** On-site disinfection facilities will be installed in the well house.
- **Site improvements.** Site improvements will be provided including architectural site treatment as determined above, a driveway apron and access road to the structure, landscaping including designing a berm along SW Bull Mountain Road site drainage, irrigation system, and other miscellaneous related facilities.

Key Assumptions:

- It is assumed that the City will prepare the contract documents and that the consultants will prepare the technical specifications for each project element.
- It is assumed that the City will bid and advertise the projects.

The work will be completed according to the general outline below:

- Task 2.2.1 – Site Survey
- Task 2.2.2 – Geotechnical Investigation (limited investigation)
- Task 2.2.3 – Preliminary Design
- Task 2.2.4 – Final Design
- Task 2.2.5 – Assistance During Bidding and Award
- Task 2.2.6 – Services During Construction
- Task 2.2.7 – Record Drawings and Operations & Maintenance Manual

Detailed work tasks and deliverables are described as follows:

Task 2.2.1 – Site Surveys

A topographic survey of the site will be completed of the 10-MG project site. Work under this subtask includes locating the existing underground and aboveground utilities and determination of the exact position and elevation of the completed production well. This subtask also includes an initial data gathering effort. This effort includes collecting the as-built records of the existing reservoir, pump station and transmission piping, tax lot maps, aerial photos and other available information. The final site selection for the borehole and the pump station will be made as part of this subtask.

Task 2.2.2 – Geotechnical Investigation

This scope is limited in nature since a sample of surface material will be collected at the start of drilling. Thus, this subtask includes analysis of the sample related to the structure foundation of the proposed building.

Task 2.2.3 – Preliminary Design

Under this subtask, preliminary design concepts will be established to the 10% level. A preliminary site plan will be developed for the City staff review and comment. The project architect will be included at this stage to present architectural treatments and assist the City staff in selecting a preferred architectural treatment for the new well house structure. Preparation for and participation in a public meeting by the design team is included in this subtask.

The design concepts for the project will be advanced based on City staff review and public participation and design drawings will be developed to approximately the 30% level. Preliminary designs will be submitted to the City staff for review. Included in this

task will be a preliminary design review meeting with City staff. City staff comments and edits will be incorporated into the final design. A total of 2 meetings with the City during the predesign phase were assumed.

Task 2.2.4 – Final Design

Under this subtask, the final plans, specifications and construction cost estimates will be prepared. These documents will be submitted to City staff at the 90% completion level for review and comment. A final design review meeting will be held with City staff and comments and edits will be incorporated into the final contract documents. A preliminary drawing list is included in Attachment A. Up to 40 sets of contract documents will be printed and bound. A total of 2 meetings with the City during the final design phase were assumed.

Task 2.2.5 – Assistance During Bidding and Award

Under this task, assistance will be provided to the City during the bidding and award process. Specifically the following tasks will be performed:

1. Distribute the contract documents and maintain distribution records.
2. Prepare project advertisement for publication and submit on City's behalf.
3. Respond to bidders' inquiries during the bidding period.
4. Review pre-bid submittals if the specifications so require such submittals by prospective bidders.
5. Prepare addenda as necessary to clarify the contract documents.
6. Attend the bid opening, review the bids, prepare a bid summary, and prepare a recommendation for award.

Task 2.2.6 – Services During Construction

Under this subtask, engineering services during construction will be provided during the construction period. These services are as follows:

1. Conduct a pre-construction conference, prepare a conference summary and distribute the summary to all conference attendees.
2. Receive and review shop drawings and other technical submittals such as equipment, materials of construction, performance data and certifications, laboratory test results, and technical manuals submitted by the contractor which are required by the contract documents. Maintain a submittal log and file. Submit two complete submittal files to the City upon completion of the project. Consider and evaluate any alternatives or substitutions proposed by the contractor.
3. Receive and review other submittals of the contractor including construction schedules, shop drawing/submittal schedules, lump sum price breakdowns, and other submittals required by the contract documents.

4. Review the contractor's monthly requests for progress payments and recommend the appropriate amount to the City for payment to the contractor. Payment recommendations will be based upon the approved breakdown of the contractor's lump sum contract amount.
5. Provide clarification of the contract documents to the contractor based upon the contractor's written requests for clarifications, verbal requests or as the need otherwise arises. Prepare written responses and drawings or sketches as necessary to the contractor to clarify the contract documents.
6. Provide services related to change orders. These include preparation of change order proposal description and justification documentation, assistance with negotiation of the change with the contractor, making recommendations to the City regarding any change orders, and processing the formal change order documents.
7. Prepare for and conduct periodic meetings on the job site with the contractor. Generally, the meetings will be weekly or biweekly when significant construction work is underway. The purpose of these meetings is to identify field problems and other issues regarding the project as well as reviewing the project progress versus the project schedule.
8. Prepare and submit a monthly project status report to the City.
9. Notify the City of any potential or actual claims or protests of the contractor. Coordinate with the City staff and legal counsel as necessary regarding these matters.
10. Conduct site visits by the project manager or project engineer when significant construction is occurring. These visits may be weekly or biweekly as circumstances dictate. The purpose of these visits is to answer questions regarding the contract documents, assist with resolving project difficulties, review the progress of the work, and review the construction work to confirm that it is proceeding in accordance with the requirements of the contract documents.
11. Prepare for and conduct a final inspection of the project with representatives of the City. Prepare a "punch list" of items of work remaining to achieve final completion of the project and to prepare for City acceptance. Recommend procedures and timing of acceptance of the project. Advise the City and the contractor of the dates for any warranty periods as established in the contract documents.
12. Prepare record drawings of the project based upon the construction records of the contractor and the Engineer's on-site representative. Submit Mylar record drawings to the City.
13. Provide on-site construction observation. The on-site representative will provide frequent monitoring of the construction work. The representative will prepare periodic written reports on the construction activities at the site, maintain a diary of his or her activities, decisions, discussions with the contractor and other observations, conduct the periodic on-site meetings with the contractor, document the pre-construction conditions and construction work by photograph and/or video

tapes, coordinate the delivery of any materials or equipment to be delivered to the City, witness any factory or off-site testing as may be necessary, and other work as assigned by the Engineer. For budget purposes, it is assumed up to 320 hours of on-site construction observation will be provided during the active estimated 6-month construction period.

14. Maintain files and document tracking system throughout the entire project.
15. Provide the services of specialized subconsultants, specifically a geotechnical engineer, to confirm that the actual site conditions encountered are consistent with those anticipated, and others as may be required. A quality control program will be required of the contractor to provide soils testing for earth compaction, concrete and aggregate testing, and other testing procedures as required in the contract documents.
16. Coordinate with the contractor and the City for final testing and startup of the facilities.
17. Provide technical training of the City staff on the operation of the facilities.

Task 2.2.7 – Record Drawings and Operations & Maintenance Manual

Under this subtask, record drawings will be prepared of the project based upon the construction records of the contractor and the Engineer's on-site representative. Mylar record drawings and digital record drawings will be submitted to the City in an AutoCAD format. Work under this task also includes the preparation of an operation and maintenance manual for the well house. The manual will consist of a general description of the station's operation and a compilation of shop drawings, manuals, manufacturers' product information, telemetry and control system manual and other submittals for the project as required to be provided by the construction contractor. The material will be organized and submitted in three-ring binders. Two sets of O&M manuals will be prepared and submitted to the City. The O&M manual will also include ASR startup and shutdown procedures and other ASR operational procedures such as recommended procedure and frequency for back flushing the well.

Task 3 – Test Well Baggenstos Site

The conceptual design elements required for an ASR test well at the Baggenstos site are based on the well logs for this part of Bull Mountain. The general considerations for the test well design are the diameter of the borehole, casing depth and total depth of the well. It is assumed that the test well will be retained as a monitoring well in the future.

It is anticipated that the total depth of an ASR test well at the site should be between approximately 600 to 700 feet bgs. In general, the well will have a surface seal and casing and will be drilled as a 12-inch diameter open test well unless conditions dictate that the borehole has to be lined during aquifer testing. This task also will include finalizing the test well location.

Subtask 3.1 -- Detailed Site Assessment:

Prior to selecting the final site for the Baggenstos test well, a more detailed survey will be completed to determine the optimal location for the City's test well that will take into account, local hydrogeologic conditions, available land and access, pump to waste issues and overall proximity to the original Baggenstos site. Ideally the test well site can also accommodate a full-scale ASR production well and pump station.

Subtask 3.2 -- Well Drilling Specification and Contract Document Preparation:

Work under this subtask includes preparing contract documents and providing public bidding and contractor selection services for the construction and installation of the test well. This effort anticipates using existing City procurement procedures for the selection and procurement of the well construction contractor. More importantly the technical specifications will be prepared as a separate schedule and will be part of the contract document for the 10 MG drilling project (Task 2.1.1). In this way the pre-qualifications will be a part of this phase of the project and there is a cost savings to the City in preparing a separate schedule for this task rather than another bid package. We have assumed a 50% reduction in effort in preparing the technical specifications for the Baggenstos test well since they are a separate schedule. Subtask elements include the following:

1. Prepare design criteria, technical specifications and drawings for the test well construction suitable for competitive public bidding – this will be prepared as a separate schedule and will be part of the contract documents prepared for the 10 MG drilling project (Task 2.1.1). The pre-qualifications for the 10 MG site also will apply for the Baggenstos drilling project.
2. The technical specifications will include identifying applicable permit requirements for drilling and discharge of drilling and testing water.
3. The preparation of contract documents consistent with current City standards for the procurement of construction contractor services.
4. Develop well drilling contractor prequalification requirements in accordance with City codes and ordinances.
5. Discuss the project with local drilling contractors to promote interest in the project.
6. Prepare for and attend a pre-bid conference at the test well site.
7. Provide assistance with preparing necessary addenda.
8. Attend the bid opening, review bids and prepare a letter recommending construction contract award.

Subtask 3.3 -- Well Drilling Construction Phase Services:

Work under this subtask includes the following elements:

1. Provide periodic field observation of drilling, well construction and development activities. It is anticipated that well drilling, completion and development of the well will require six to eight weeks to complete.

2. Develop and maintain a field log during drilling by reviewing and interpreting geologic materials collected by the contractor.
3. Develop a detailed log of the basalt stratigraphy based on visual observation and chemical analysis of rock chip samples from selected intervals.
4. Prepare an as-built diagram of the well.
5. Assist the City staff with day-to-day administration of the drilling contract through review of the contractors work, pay application review, and review of requests for changes.
6. Attend a progress meeting with the City and project team.

Subtask 3.4 -- Aquifer Testing:

The purpose of the aquifer testing is to determine possible injection and pumping rates, injection and pumping levels, and target storage volumes at this particular test site and to assess whether or not this site is suitable for hosting a 1 MGD ASR system. These efforts will be coordinated with the well drilling contractor.

Key Assumption

- We have assumed that City staff will assist with collecting field data during the aquifer tests.
- We have also assumed that the City will buy a water quality meter (\$3000), and pay for laboratory testing directly (\$2800).

Work subtasks include the following:

- *Water Level Monitoring:* Work under these subtasks includes establishing a baseline water level monitoring network and collecting baseline groundwater elevation data prior to the aquifer tests from up to two nearby observation wells and the test well. Baseline data from the test well will be obtained electronically with a pressure transducer and data logger system. Baseline data from observation wells will be obtained by hand-level measurements.
- *Step Rate Drawdown Test:* Work under this subtask includes the completion of a 4-hour step drawdown test. The purpose of this test is to evaluate well performance and to select a pumping rate for the constant rate test. The test will consist of four 1-hour steps conducted at increasing flow rates one to two days prior to the constant rate test. Groundwater levels will be measured in the exploratory well using a 100-psi pressure transducer and electronic data logger. The step test data will be analyzed to determine well efficiency and the optimal pumping rate for the constant rate test. The well will be allowed to recover a minimum of approximately 12 hours after completing the step test and prior to initiating the constant rate test.
- *Constant Rate Test:* This subtask includes completing a 96- to 120-hour constant rate aquifer test. The purpose of the constant rate well test is to impose a long duration stress on the aquifer to evaluate aquifer productivity, boundary

conditions, and water quality conditions relevant to ASR feasibility. Water levels will be electronically monitored in the well. Hand level measurements will also be collected from the well and up to two observation wells, if suitable candidates can be identified and accessed.

- *Recovery Water Level Monitoring:* This subtask includes monitoring water level recovery in the test well and two observation wells at a minimum for up to five days by electronic and hand-level measurement methods.

Subtask 3.5 -- Reporting:

Work under this subtask includes compiling and interpreting the test well data gathered under the above subtasks to determine short and long-term aquifer hydraulic parameters and to identify potential boundary conditions. The interpreted data will be used to determine pumping and injection rates and storage volumes at the well location and the overall feasibility of ASR at the Baggenstos site. Work under this subtask also includes a review meeting with City staff to review the results. A brief technical memorandum summarizing test well drilling a aquifer testing results will be prepared that will recommend next steps for this particular site with regard to ASR expansion objectives.

Task 4 – ASR Operational Support Year 2004

Subtask 4.1 – ASR Operational Support.

This task includes providing consulting services during full-scale operation at COT-1R through 2004 and startup injection at the 10 MG site late in the year. The ASR operations support task will include the following main activities:

- Once every other month, monitor the performance of COT-1R using water level and flow rate data provided by the City.
- Track changes in well performance and advise the City if the current 3 week back flushing program needs to be modified.
- Provide brief updates to the City during the injection phase regarding well performance and recommendations for operational changes, if warranted.

In general, our support will be very similar to what we provided during 2004. Specific activities for this task include:

- About every other month review water level data provided by the City for observation wells located in the basalt aquifer. Table 1 lists the wells included in the water level monitoring program and the proposed frequency of monitoring. We recommend that the telemetry system be modified to ensure discharge data

are recorded. In addition, we recommend that the turbidity data be plotted and that it continue to be track by the City and our consulting team.

- Coordinate water quality samples that are to be collected by the City, and review water quality data when results are available from the laboratory. Table 2 includes the proposed water quality-testing program and a planned sampling schedule.

Key Budget Assumptions:

- The City will pay analytical costs directly.
- The budget does not include field equipment rentals such as water level meter, water quality field parameter meter, or data loggers. We assume the City either has this equipment or intends to purchase these items directly. We understand that the City may choose to purchase additional data loggers for other well locations that are accessible.

TABLE 1

Water Level Monitoring Program
City of Tigard - ASR Program 2004

Well Location	Hand Level Measurements	Transducer Frequency	Monitoring Method
COT – 1R (ASR well)	Once per month	Every 30 min*	Transducer
COT 1M (monitoring well)	Once per month	Every 30 min *	Transducer
Well 2,3,4	Once per month	--	Manual
King Co. Golf Course	Once per month	--	Manual
Templeton School	Once per month	--	Manual
Tigard Highschool	Once per month	--	Manual

Table 2 - ASR Tracking Form

YEAR 2004 – City of Tigard (COT-1R): Year 3

Modified 9/19/2003

AVERAGE Injection Rate:	730	(gpm)
AVERAGE Recovery Rate:	100%	(gpm)
Injection Start Date	Monday 12/15/03 3:00 PM	
Injection End Date	Thursday 4/15/04 1:00 PM	
Elapsed Injection Days	122.0	days
Elapsed Injection Hours	2928	hours
Total Planned Injection Volume (MG)	128.248,400	gallons injected at injection rate
	128.2	MG 128.2 Stored Vol. MG
Storage Start Date	Thursday 4/15/04 1:00 AM	
Storage End Date	Tuesday 6/15/04 12:00 AM	
Elapsed Storage Days	61.0	
Elapsed Storage Hours	1463	
Total Planned Recovery Volume	121.83	Assume 99% Recovered
Recovery Start Date	Tuesday 6/15/04 12:00 AM	
Days Required to Recover 100% of Injection Volume	Sunday 9/12/04 1:28 AM	
Days Required to Recover Planned Volume	Tuesday 9/7/04 2:34 PM	Assumes single-batch recovery

Water Quality Monitoring Program

Water Type	Progress Point	Date	Elapsed Days	Analysis	Sample ID	Date Collected	Bottles Verified?	Comments	Approx. Cost
GW		Monday 12/15/03 1:00 PM	-	FP, GC, & Radon	COT1R-C3GW				\$275
Source	0%	Monday 12/15/03 1:00 PM	0	FP, GC, DBP, & SDWA, & UCMR	COT1R-C3SW1				\$2,040
Source	50%	Saturday 2/14/04 1:00 PM	61	FP only	COT1R-C3SW2				
Source	100%	Thursday 4/15/04 1:00 PM	122	FP, GC, & DBP	COT1R-C3SW3				\$375
Stored	0%	Saturday 5/16/04 12:30 PM	30	FP only	COT1R-C3T1				
Stored	100%	Tuesday 6/15/04 12:00 AM	61	Bac-T – City	COT1R-C3T2				\$25
Recovered	0%	Sunday 8/20/04 8:14 AM	5	FP, GC, DBP, SDWA, & UCMR, Radon	COT1R-C3R1				\$2,040
Recovered	25%	Wednesday 7/7/04 8:21 AM	22	FP, GC	COT1R-C3R2				\$200
Recovered	50%	Thursday 7/29/04 12:43 PM	46	FP & GC & DBP	COT1R-C3R3				\$375
Recovered	75%	Friday 8/20/04 7:04 PM	67	FP & GC	COT1R-C3R4				\$200
Recovered	100%	Tuesday 9/7/04 2:34 PM	85	FP, GC, DBP & Radon	COT1R-C3R5				\$450
Total									\$7,180

Notes:

FP = Field Parameters
GC = Geochemical Parameters
DBP = Disinfection By-Products
SDWA = Safe Drinking Water Act Parameters (OHD, DEQ MML, Federal SMCL)
UCMR = EPA Unregulated Contaminant Monitoring Regulations parameters
Radon = Radon in drinking water analysis, SM 7500 or EPA 913.0

- City will provide manual water level measurements, downloaded data files obtained from data loggers, and flow rate data in electronic (Excel) format. Data logger data at COT-1R and COT-1M and flow rate data from the telemetry system at COT-1R will need to be provided every 6 weeks or so.
- The City will collect turbidity data using their on-site system and provide us with data in an Excel format.
- A total of 4 site visits have been assumed during the injection and recovery phase on an as-needed basis.
- We have assumed that injection for Year 2004 will start in December of 2003 and continue through April 2004. Recovery will begin in June and last until September 2004. Injection will begin at both COT-1R and the new ASR well at the 10 MG site in December 2004 for the next cycle.

Subtask 4.2 Water Quality Data Management

Laboratory data for samples collected at COT-1R will be reviewed for Quality Assurance/Quality Control (QA/QC) purposes. Non-conformances or deficiencies that could affect data usability will be noted. Water quality data and any data qualifiers will be downloaded into a project water quality database. These data will be available to the City in order to satisfy DHS and Safe Drinking Water Act (SDWA) testing and reporting requirements.

Key Budget Assumptions:

- Water quality data will be loaded into an ACCESS database built for this project. To the extent possible, electronic data provided by the lab will be imported directly into the database. We have assumed that we will use the Excel spreadsheet prepared for last year's data and will upgrade it into an ACCESS database.
- A total of 9 sets of sample results will be reviewed.

Subtask 4.3 OWRD Reporting – Year 2004

A technical memorandum will be prepared at the conclusion of year 2004 ASR activities that will document the ASR system operation in accordance with the Limited License 005 requirements. It will include significant findings, conclusions, and recommendations. We intend to rely primarily on the information and data plots provided to the City during ongoing operations so that report preparation costs can be minimized. A draft report will

be prepared and submitted to the City for review. Final copies will be submitted to the City, OWRD, DEQ (Oregon Department of Environmental Quality), and DHS.

Subtask 4.4. Project Management, Monitoring Plan Update, and Meetings

This task includes general project management during ASR activities from January 2004 through December 31, 2004 (12 months). Additional activities include project meetings, agency meetings and permitting support as needed. Necessary Limited License addendums for the project will be prepared, if requested by OWRD

Key budget assumptions include:

- 8 hours per month for project management and general consultation with the City.
- 4 project meetings (4 hours for each meeting) with the City.
- 1 agency meeting (4 hours).

Budget

Our 2004 rate schedule is listed below. Fees estimates shown in Table 3 are presented in a summary form by work task based on the detailed scope of work outlined in the proposal. A more detailed breakdown of tasks, hours, and staff assigned to each task is provided in Tables 4A and 4B. We have assumed that this work will be performed on a time and materials basis for an amount not to exceed the budget. The overall budget estimate for all tasks outlined in this scope of work is approximately **\$314,500**.

Labor Category Hourly Rate

GSI Rates	
Senior Hydrogeologist (Jeff Barry)	\$112
Principal Hydrogeologist/PM (Larry Eaton)	\$98
Staff Hydrogeologist (Jason Melady)	\$80
Sr. Hydrogeologist	\$90 - \$98
GSI Technician	\$75
Staff Hydrogeologist	\$65- 75
Administrative Assistant	\$60
MSA Rates *	
Lead Engineer (Chris Uber)	\$125
Sr. Engineer (Jeff Jones)	\$112
Staff Engineer (Brian Ginter)	\$79
CADD Technician	\$74
Jr. Technician	\$59
Administrator	\$66
Clerical	\$53
Support Staff *	
Geology Consultant (Dr. Beeson)	\$95
ASR Design Consultant (Ed Butts)	\$110
Sr. ASR Consultant (Dave Pyne)	\$150

*Rates include 10% markup

Expenses

• CADD Systems	\$10/hr
• Mileage	\$0.365/mile
• Direct Expenses	Cost
• Outside Services	Cost plus 10% markup
• Water Level Meter	\$15/day
• 2-Channel Data Logger	\$400/Month
• Field Water Quality Testing Equipment (per day – 1 day minimum)	\$60/day

AGENDA ITEM # _____
FOR AGENDA OF 10/21/03

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Joint Meeting with Senior Center Board

PREPARED BY: Loreen Mills DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Annual joint meeting with the Senior Center Director & Board.

STAFF RECOMMENDATION

No action is anticipated.

INFORMATION SUMMARY

City of Tigard and Loaves and Fishes have been partners in operating the Tigard Senior Center for more than 20 years. Each year during the fall time, the City Council and Tigard Senior Center Director & Board meet to provide an open forum to discuss the types of programs being delivered to the significant multi-cultural senior population in our community.

As discussed during previous visits, one of the challenges for the City and Loaves and Fishes at the Tigard Senior Center is to keep current service and program needs relevant for today's senior population while preparing to meet the escalating demands for services and programs as the "baby boomers" mature. Tigard's population of 65 and older is over 10% with the baby boomers making up another 22% of our population base.

Knowing the service and program needs are on the rise, how can we, as partners, work together to better promote the programming while keeping the financial impact reasonable? The Senior Center operation continues to be run very cost effectively and the Center is very successful in fundraising, however, these efforts alone will not be enough to meet the "baby boomer" explosion on the senior service industry.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

N/A

FISCAL NOTES

The City currently funds the Senior Center operation by providing cash in the amount of \$20,000 in this fiscal year and in-kind services valued at about \$60,000. In-kind services include utilities (other than phone), janitorial services, public works staff time and materials for building maintenance, etc.

The total budget at Tigard Senior Center for Tigard Loaves & Fishes for last year was about \$246,000. The resources taken in at the Center came to \$206,000. That includes money from contracts held by Loaves & Fishes for the senior nutrition program (\$84,000), money from the people who eat the meals (\$41,000), donations from individuals and groups and bequests (\$41,200), interest on the Center's endowment of almost \$10,000. Additional projects, pancake breakfast, and sales brought in an additional \$9,700. With the \$20,000 from the City of Tigard there was still a shortfall of almost \$40,000 for the day-to-day operations. That support came from funds raised by the Loaves & Fishes Centers Incorporated. The Loaves & Fishes support totaled \$124,000 due to all the government contract money coming through L&F contracts.

Over and above the budgeted funds mentioned above, it is important to also recognize the contract for client services that supplies so much for seniors and their families through the work that our coordinator does in the community. Also, there is savings for the Tigard Center because we get our food through an operation that prepares 4,000 meals a day.

AGENDA ITEM # _____
FOR AGENDA OF 10/21/03

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Update on Purchasing & Contract Manual

PREPARED BY: Tom I. and Loreen M. DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Staff will be providing the Council with a status report on the effort to develop and implement a Purchasing and Contracts Manual on a citywide basis.

STAFF RECOMMENDATION

No action is required by Council.

INFORMATION SUMMARY

A Purchasing and Contracts Manual has been developed to serve as a guide to be followed by all City employees involved in the purchasing and contracting processes. The manual is designed to keep the City's purchases and contracts legal, help avoid unnecessary risk to the City, provide consistency between City departments, and serve as a solid foundation in which to guide staff through the purchasing and contracting processes. All City departments and staff involved in purchases or contracts on behalf of the City will be required to follow the procurement and contract procedures as outlined in the manual. The development of the manual and contract templates has been a collaborative effort between Risk Management, Finance, and a representative from each City department as well as the City Attorney. A copy of the Table of Contents is attached and more information and detail will be provided at the Council workshop. Training on the manual will occur during the month of November with an implementation date of December 1, 2003.

The manual will be updated as changes in City rules occur or as state law requires. In fact, over this past year, Oregon's Public Contracting Statute has undergone a major rewrite and signed into by law by the Governor. These new rules go into effect in March 2005. City staff will begin working on the changes that will be required to the City purchasing rules because of this over this next year and update the manual as needed.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

Table of Contents from Draft Purchasing and Contracts Manual

FISCAL NOTES

No impact

ATTACHMENT

TABLE OF CONTENTS

1 INTRODUCTION	11 EXECUTION – CONTRACTS & PURCHASE ORDERS
1.1 Overall process flowchart	
1.2 Formal contract checklist	
1.3 Informal contract checklist	12 AMENDMENTS - CONTRACT & PURCHASE ORDER
1.4 Purchase order checklist	
1.5 Purchasing card checklist	13 TERMINATION
2 DEFINITIONS	14 POLICY AND CODE
3 RESOURCES	15 TEMPLATES
4 SPECIFICATIONS - DEFINING WHAT YOU NEED	◆ Standard Personal Service Agreement (PSA)
5 RISK - TRANSFERRING AND FINANCING	◆ Short Form PSA
5.1 Risk Analysis	◆ Standard Purchase Agreement
5.2 Indemnification	◆ Short Form Purchase Agreement
5.3 Insurance as a Risk-Financing Option	◆ Architectural Services Agreement
5.4 Minimum Insurance Requirements for Contracts	◆ Engineering Services Agreement
5.5 Certificates of Insurance	◆ Public Improvement Contract (for \$25,000+)
5.6 Bonds as a Risk-Financing Option	◆ Construction Manager / General Contractor (CM/GC) Agreement
6 PURCHASE ORDERS & PURCHASING CARDS	◆ Intergovernmental Agreement (IGA)
6.1 Purchase orders	◆ Purchase Order
6.2 Procurement card	◆ Purchasing Card Transaction Summary Log
6.3 Co-op Purchasing	◆ Purchase Requisition
7 CONTRACTS - TYPES, DETAILS & REQUIREMENTS	◆ Request for Quotes
7.1 Personal Service Agreement	◆ Quotation Summary
7.2 Purchase Agreement	◆ Invitation to Bid
7.3 A/E Consultant Agreement	◆ Request for Proposal
7.4 Public Improvement Agreement	◆ Contract Award Letter
7.5 Intergovernmental Agreement	◆ Contract Non-Award Letter
7.6 What if we are the Contractors?	◆ Contract Renewal Letter
8 SOLICITATION - HOW TO FIND WHAT YOU NEED	◆ Contract Amendment Form
8.1 Solicitation Methods	◆ W-9/TIN Request Letter
8.2 Competitive Quotes	◆ Request for Certificate of Insurance
8.3 Request for Quotes	◆ Certificate of Insurance Checklist
8.4 Direct Appointment	◆ Self-Insurance Certification Form
8.5 Invitation to Bid (ITB)	◆ Workers' Compensation Exemption Certificate
8.6 Request for Proposals (RFP)	◆ First-Tier Disclosure Form
8.7 Sole Source Vendors	◆ Emergency Purchase Form
9 QUALIFIED REHABILITATIVE FACILITIES (QRF)	◆ Vendor Complaint Form
10 EMERGENCY CONTRACTS & PURCHASES	◆ Lease Agreement
	◆ Business Tax Request Letter
	◆ Subdivision Compliance Agreement
	◆ Street & Sewer Compliance Agreement
	◆ Public Facility Improvement (PFI) Performance Bond
	◆ Subdivision Public Improvements Performance Bond
	◆ Street Opening Permit Performance Bond

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE City of Tigard and Tri-Met Memorandum of Understanding and Local Area Plan

PREPARED BY: Duane Roberts DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Review and discuss the proposed Tigard/Tri-Met Memorandum of Understanding (MOU) and Local Area Plan for improving transit services within the City.

STAFF RECOMMENDATION

Council should provide direction to staff regarding corrections or revisions to the agreement.

INFORMATION SUMMARY

Since June, 2003, City and Tri-Met staff have been meeting to discuss enhanced transit service in Tigard. Tri-Met has prepared two documents that lay out proposed strategies for enhancing transit access in Tigard. First is a Memorandum of Understanding (MOU) dealing with "Tigard Access Planning". The MOU is intended to provide a framework for forming a partnership between Tri-Met and Tigard to improve local transit service. Under the terms of the proposed agreement, Tri-Met agrees to "examine and implement changes to transit services... in Tigard" and Tri-Met and the City agree to collaborate on potential transit-related capital improvements, such as bus shelters, sidewalks near bus stops, and street crossings. The MOU also encompasses outreach and marketing efforts. The plan has a three-year time horizon, from the current year through the scheduled opening of Commuter Rail. Council adoption of the MOU tentatively is set for November 25, 2003.

The "Tigard Local Area Plan" spells out in greater detail than the MOU, Tri-Met's proposed approach and timeline relative to identifying and implementing potential local service and capital improvements. The plan references the Key Strategy Priorities included in the "Tigard Transportation System Plan" adopted by Council in 2002. The work scope focuses on route alternatives; capital improvements; customer information; elderly, disabled and low-income transit needs; job access; and community outreach. The aim is to achieve maximum ridership increases.

A copy of each document accompanies this summary sheet.

An (as yet undetermined) Executive Director and other Tri-Met representatives will be present at the meeting. They will give a 5-10 minute presentation on the MOU and Local Area Plan and answer any questions Council may have. Due to a prior commitment, Tri-Met Manager Paul Hansen is unable to attend the 10/21 meeting, but is scheduled to participate in the proposed 11/25 MOU adoption meeting.

OTHER ALTERNATIVES CONSIDERED

None considered

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Transportation and Traffic, Goal #3, “Alternative modes of transportation are available and use is maximized.”

ATTACHMENT LIST

Attachment #1: Memorandum of Understanding, Draft #2

Attachment #2: Draft #4, Tigard Local Area Plan

FISCAL NOTES

The agreements do not involve the obligation of City funds. Implementation of proposed capital improvements will depend on funding availability as part of each organization's annual budgeting process.

I/citywide/sum/tri-met mou

MEMORANDUM OF UNDERSTANDING
Draft #2 - 9/17/03

Tigard Access Planning

The City of Tigard and the Tri-County Metropolitan Transportation District of Oregon (“TriMet”) are executing this Memorandum of Understanding (MOU), effective December 1, 2003.

I. Purpose

This MOU establishes the rights and obligations of the parties entering into this MOU.

II. Mission

The Tigard Access Plan will provide a comprehensive process that will capitalize on the energy surrounding the commuter rail project to improve access, leverage public and private investments, and promote mobility options in the area. Development of commuter rail in the US Route 217 corridor (“Corridor”) provides a unique opportunity for a partnership between Tigard and TriMet to improve access to and within Tigard.

III. TriMet OBLIGATIONS

TriMet agrees to:

- a. Examine and implement changes to transit service that will improve access in the Tigard.
- b. Meet regularly with the City to coordinate projects related to the improving access in the Corridor. Types of projects would include:
 - Bus stop improvements
 - Transit preferential treatment for buses
 - Pedestrian access improvements
 - Bike access improvements
 - Public Information (maps, etc.)
- c. Involve community members in all phases of the Tigard Access Plan. Develop and implement a community outreach strategy that reaches the diversity of community and business members.
- d. Educated and market programs that will improve the public’s ability to understand transportation choices.

IV. CITY OF TIGARD OBLIGATIONS

Tigard agrees to:

- a. Meet regularly with TriMet to coordinate capital improvements that would improve access to transit in the corridor. Types of projects would include those mentioned in section III.b.
- b. Participate in the community outreach efforts.

V. DURATION

This MOU is for an initial term through the opening of Commuter Rail. A final report will identify longer term projects.

VI. TERMINATION

TriMet or the city of Tigard may withdraw from this MOU, without penalty, by giving 90 days prior written notice to all signatories of their intention to do so.

VII. GENERAL

- a. In connection with this MOU, each party is an independent contractor for all purposes and will have no authority to bind or commit the other.
- b. Nothing in this MOU shall create any legal right or inure to the benefit of any third party not a signatory of this MOU.

VIII. NOTICES

Any notices or communications under this MOU shall be provided to the individuals as designated below:

TriMet
Tony Mendoza

City of Tigard
Duane Roberts

Any notices required to be given under this MOU shall be in writing and deemed effective if deposited in U.S. Mail Certified return receipt, hand delivered, or transmitted by facsimile with successful confirmation.

TRI-COUNTY METROPOLITAN TRANSPORTATION

Fred Hansen
General Manager
District of Oregon (TriMet)

Approved as to Form:

Legal department

signature

date

CITY OF TIGARD

Mayor

signature

date

DRAFT #4

Tigard Local Area Plan

9/17/03

Introduction

This plan responds to Tigard City Council concerns regarding Local TriMet service and executes the Tigard Local Area Plan of TriMet's Transit Investment Plan. It coordinates transit service with capital improvements and builds on the addition of Commuter Rail to gain noticeable enhancements to the total transit system.

Goals

- Improve access to transit
- Maximize transit ridership
- Improve local coverage

Guiding Principles

- Improve transit options for current and potential riders
- Connect neighboring cities
- Coordinate public/private investments to improve transit riding experience
- Incorporate Tigard TSP Key Strategy Priorities:
 1. Commuter Rail (the Local Area Plan will look at connecting commuter rail to the community with bus service, pedestrians and bikes)
 2. (tie) Provide more frequent service, more hours of day
 2. (tie) Express routes to regional employment centers
 2. (tie) Transit amenities (bus shelters, real time information, etc.)
 5. (tie) Provide access to employment areas
 5. (tie) Provide more local transit service
 7. Provide access to commercial areas
 8. Provide park and ride lots
 9. Provide access to activity and service centers

Scope

1. Fixed-Route Analysis
 - Commuter rail connections (emphasis areas around Washington Square and Downtown)
 - Local Service Action Plan
2. Capital Improvements
 - Pedestrian connections for ADA accessibility and safety
 - Pedestrian and bike connections
 - Customer amenities such as shelters and waiting areas

3. Customer Information
 - Signage to transit and major destinations
 - Information at stops including maps and transit tracker
4. Elderly and Disabled
 - Connections to transit and to destinations
 - Travel Training
5. Job Access
 - Low Income Housing Areas
 - Employer pass programs
 - Employer shuttles/vanpool shuttles
 - Employer site pedestrian access to transit
6. Community Outreach
 - On-Board
 - Bus stop postings
 - Neighborhood Meetings/Events
 - Business/Community Newsletters
 - Website
 - Comment Line
 - Fact sheets/Rider alerts/Press releases
 - Advertising
 - Cable TV
 - Employers/Tigard Area Chamber of Commerce

Timeline/Process

Summer '03-Winter '03

- Develop work plan
- Develop MOU
- Review existing plans
- Develop working group
- Develop technical analysis
- Working session with Tigard City Council

Winter '03/'04-Spring '04

- Define stakeholders
- Listen to the Community
- Define Alternatives
- Define Markets
- Identify long list of potential TriMet and City capital improvements

Spring '04-Winter '04/'05

- Work with community/riders
- Develop information for decision-making (analyze alternatives)
- Narrow capital improvement list – define TriMet and City budgets for FY'06
- Tigard City Council update

Winter '04/'05 – Spring '05

- Work with community
- Narrow bus service alternatives
- Prioritize capital list
- Finalize projects to be included in FY'05/06 budgets

Spring '05 – Summer '05

- Begin capital improvements
- Present bus service proposals to community for commuter rail start-up, Spring '06
- Council Update

Summer '05 – Fall '05

- Finalize bus service proposal and input to service plan
- Continue capital improvements
- Develop marketing/safety strategies

Fall '05 – Spring '06

- Implement marketing strategies
- Continue capital improvements

Spring '06 – Summer '06

- Production of Final Report – Coordinate with other plans such as City's Capital Improvement Plan and TriMet's TIP
- Presentation to Council
- Implement bus changes
- Begin Commuter Rail Operations

Planning Area – Add Map

AGENDA ITEM # _____
FOR AGENDA OF October 21, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Preview of Proposed Street Maintenance Fee Draft Ordinance and Resolution

PREPARED BY: A.P. Duenas DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Preview of the proposed Street Maintenance Fee draft ordinance and resolution. Council discussion and input is requested. Council input will be incorporated into the final ordinance and resolution to be submitted for Council adoption.

RECOMMENDATION

Staff recommends that Council discuss and provide input on the draft ordinance and resolution. Council input will be incorporated into the final ordinance and resolution to be submitted for Council approval. The ordinance is tentatively scheduled for Council consideration on November 18, 2003. If Council adopts the ordinance establishing the fee, the resolution to set the rates would follow a month or two later.

INFORMATION SUMMARY

At its meeting on August 12, 2003, City Council directed the preparation of an ordinance to establish a Street Maintenance Fee and a resolution to establish the rates. The fee will be based on an approach that links the rates to the City's long-term street maintenance program. It assigns responsibility for the arterials to the non-residential uses, splits the costs for collectors between residential and non-residential uses, and assigns responsibility for the neighborhood routes and local streets to the residents.

The fee, as originally proposed by the Transportation Financing Strategies Task Force, was based on trip generation rates for various land use categories. The scope encompassed four maintenance elements (street maintenance, rights-of-way maintenance, sidewalk maintenance, and street light and traffic signal maintenance). The Oregon Grocery Association (OGA) proposed an alternative approach at the June 19, 2003 meeting with the Task Force that addressed the street maintenance element only. A modified version of the OGA proposal was approved by the Task Force at a meeting on July 21, 2003 and submitted for Council approval at the August 12th meeting.

The key concepts in the proposed Street Maintenance Fee are as follows:

- Ties the street maintenance element of the fee to a 5-year maintenance and reconstruction plan prepared by the City of Tigard
- Uses actual road repair projects
- Tailors the fee to the local data
- Sets a target revenue goal of \$800,000 annually

- Allocates the costs of the arterial projects to the non-residential uses
- Splits the costs for the collectors on a 50-50 basis with residential and non-residential uses sharing the costs equally
- Allocates the costs for neighborhood routes and local streets to residential uses
- Uses the minimum parking space requirements based on the Tigard Development Code for non-residential uses with a 5-space minimum and 200-space maximum. Allocates the costs for residential uses on a per unit basis for both single family and multifamily units. This approach takes into account businesses that draw from a larger area than just Tigard.
- Sets the rate for the first three years based on a 5-year average of the projects to be implemented. Includes a review of the program after three years and re-establishes the rate at that time based on a 5-year plan that adds three more years to the program.

The attached draft ordinance establishes the Street Maintenance Fee. The draft resolution sets the rates that would be charged for the next three years. Because the City's 5-year plan is still in the process of being updated, the numbers in the draft resolution are approximate and would most likely change before adoption. However, no significant changes are anticipated and the current rates shown in the draft resolution should be relatively close to the final rates to be submitted for adoption.

This meeting provides an opportunity for Council to discuss and provide input on the draft ordinance and resolution. These two documents will be revised to incorporate that input. Adoption of the ordinance is expected in November 2003 with the resolution to follow a month or two later. To allow City of Tigard staff sufficient time to set up the fund and do the necessary work to ensure that the amounts can be incorporated on the utility bills without a glitch in the billing process, actual implementation of the fee would probably commence in February 2004 or later.

OTHER ALTERNATIVES CONSIDERED

None.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Timely maintenance of the street infrastructure meets the Tigard Beyond Tomorrow goal of *Improve Traffic Safety*. The implementation of the Street Maintenance Fee meets the goal of *Identify and Develop Funding Resources*.

ATTACHMENT LIST

Draft Street Maintenance Fee Ordinance
Draft Street Maintenance Fee Resolution

FISCAL NOTES

None at this point. The implementation of the proposed Street Maintenance Fee would provide funding in the amount of \$800,000 annually for street maintenance.

CITY OF TIGARD, OREGON

ORDINANCE NO. 03-_____

AN ORDINANCE ESTABLISHING AND IMPOSING A STREET MAINTENANCE FEE, PROVIDING FOR COLLECTION OF THE STREET MAINTENANCE FEE, LIMITING FEE PROCEEDS TO STREET MAINTENANCE AND AMENDING THE TIGARD MUNICIPAL CODE BY ADDING A NEW CHAPTER 15.20, AND DECLARING AN EMERGENCY

WHEREAS, within the Street System Program, the City performs street maintenance as needed to maintain the street infrastructure; and

WHEREAS, the City Council desires to develop a system whereby occupants of developed property provide funding for the continuing maintenance of the street infrastructure; and

WHEREAS, the City Council finds that the development of a fee structure based on a five-year maintenance and reconstruction plan prepared by the City and allocated among residential and non-residential uses based on prevalent use of the street category to be a generally reasonable and reliable basis for implementing this ordinance; and

WHEREAS, the City Council finds that allocation of the costs for residential uses on a per unit basis for both single family and multifamily units is reasonable to establishing the fees for residential use; and

WHEREAS, the City Council finds that the use of minimum parking space requirements based on the Tigard Development Code for non-residential uses with a 5-space minimum and 200-space maximum takes into account businesses that draw from a larger area than just Tigard and fairly apportions costs to all non-residential uses;

WHEREAS, the City Council finds that there is an urgent need to repair and maintain City streets to avoid further deterioration in order to protect the health and safety of citizens;

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard Municipal Code is amended by adding a new Chapter 15.20 to read as follows:

15.20.010 Street Maintenance Fee – Creation and Purpose. A Street Maintenance Fee is created and imposed for the purpose of maintenance of City streets. The Street Maintenance Fee shall be paid by the responsible party for each occupied unit of real property. The purposes of the Street Maintenance Fee are to charge for the service the City provides in maintaining public streets and to ensure that maintenance occurs in a timely fashion, thereby reducing increased costs that result when maintenance is deferred.

15.20.020 Definitions. As used in this ordinance, the following shall mean:

- (1) City Engineer. The City Engineer or the City Engineer's designee.
- (2) Developed property or developed use. A parcel or legal portion of real property, on which an improvement exists or has been constructed. Improvement on developed property includes, but is not limited to buildings, parking lots, landscaping and outside storage.
- (3) Finance Director. The Finance Director or the Finance Director's designee.
- (4) Residential Property. Property that is used primarily for personal, domestic accommodation, including single family, multi-family residential property and group homes, but not including hotels and motels.
- (5) Non-residential Property. Property that is not primarily used for personal, domestic accommodation. Non-residential property includes industrial, commercial, institutional, hotel and motel, and other non-residential uses.
- (6) Street Functional Classification. Street classifications as described in the Tigard Transportation System Plan.
 - a. Arterials are defined as streets having regional level connectivity. These streets link major commercial, residential, industrial and institutional areas.
 - b. Collectors are defined by citywide or district wide connectivity. These streets provide both access and circulation within and between residential and commercial/industrial areas.
 - c. Neighborhood routes are defined as streets that provide connections within the neighborhood and between neighborhoods. These streets provide connectivity to collectors or arterials.
 - d. Local streets are any streets within the City that are not designated as arterials, collectors, or neighborhood routes. These streets have the sole function of providing access to immediately adjacent land.
- (7) Parking space requirement. The minimum Off-Street parking requirement as required by Community Development Code Chapter 18.765.
- (8) Occupied unit. Any structure or any portion of any structure occupied for residential, commercial, industrial, or other purposes. For example, in a multi-family residential development, each dwelling unit shall be considered a separate occupied unit when occupied, and each retail outlet in a shopping mall shall be considered a separate occupied unit. An occupied unit may include more than one structure if all structures are part of the same dwelling unit or commercial or industrial operation. For example an industrial site with several structures that form an integrated manufacturing process operated by a single manufacturer

constitutes one occupied unit. Property that is undeveloped or, if developed, is not in current use is not considered an occupied unit.

- (9) Responsible party. The person or persons who by occupancy or contractual arrangement are responsible to pay for utility and other services provided to an occupied unit. Unless another party has agreed in writing to pay and a copy of the writing is filed with the City, the person(s) paying the City's water and/or sewer bill for an occupied unit shall be deemed the responsible party as to that occupied unit. For any occupied unit not otherwise required to pay a City utility bill, "responsible party" shall mean the person or persons legally entitled to occupancy of the occupied unit, unless another responsible party has agreed in writing to pay and a copy of the writing is filed with the City. Any person who has agreed in writing to pay is considered the responsible person if a copy of the writing is filed with the City.
- (10) Street maintenance. Any action to maintain City streets, including repair, renewal, resurfacing, replacement and reconstruction. Street Maintenance does not include the construction of new streets or street lighting. Street maintenance shall include resurfacing of existing streets, repair or replacement of curb and gutter where they exist, repair or replacement of the entire existing street structural section, repair or replacement of existing street shoulders, adjustment of existing utilities to match finish grades, and any other related work within the existing streets. It includes repair or restoration of existing storm drainage systems within existing streets, but does not include installation of new drainage systems. The following are excluded from street maintenance work: repair or replacement of existing sidewalks and planter strips.

15.20.030 Administrative Officers Designated.

- (1) Except as provided in subsections (2) and (3) of this section, the City Engineer shall be responsible for the administration of this chapter. The City Engineer shall be responsible for developing administrative procedures for the chapter, administration of fees, consideration and assignment of categories of use, and parking space requirements for the categories of use subject to appeal to the City Council.
- (2) The City Engineer shall be responsible for developing and maintaining street maintenance programs for the maintenance of City streets and, subject to City Budget Committee review and City Council approval, allocation and expenditure of budget resources for street system maintenance in accordance with this chapter.
- (3) The Finance Director shall be responsible for the collection of fees under this chapter.

15.20.040 Street Maintenance Fees Allocated to the Street Maintenance Fee Fund.

- (1) All Street Maintenance Fees received shall be deposited to the Street Maintenance Fee Fund or other fund dedicated to the operation and maintenance of the City street system. The Street Maintenance Fee Fund shall be used for street maintenance.

Other revenue sources may also be used for street maintenance. Amounts in the Street Maintenance Fee Fund may be invested by the Finance Director in accordance with State law. Earnings from such investments shall be dedicated to the Street Maintenance Fee Fund.

- (2) The Street Maintenance Fee Fund shall not be used for other governmental or proprietary purposes of the City, except to pay for an equitable share of the City's overhead costs including accounting, management, and other governing costs, related to operation of the street maintenance program. Engineering design, construction management, and other related costs, including project advertisements for bid, in the implementation of the street maintenance projects shall also be considered as being used for street maintenance.

15.20.050 Determination of Street Maintenance Fee.

- (1) The Street Maintenance Fee shall be established based on the following:
 - (a) The City's 5-year maintenance and reconstruction plan for corrective and preventative maintenance of the City's street infrastructure.
 - (b) The average annual cost based on the 5-year maintenance and reconstruction plan with costs allocated as follows:
 - (i) Arterial maintenance costs allocated 100% to non-residential uses.
 - (ii) Collector maintenance costs allocated 50% to residential uses and 50% to non-residential uses.
 - (iii) Neighborhood routes and local street maintenance costs allocated 100% to residential uses.
 - (c) For residential property, the fee shall be charged on a per unit basis.
 - (d) For non-residential property other than gasoline stations, the fee shall be based on the minimum number of parking spaces required by Chapter 18.765 of the Tigard Community Development Code for each occupied unit, provided however that the minimum number of parking spaces for purposes of calculating the Street Maintenance Fee shall be five and the maximum number shall be 200.
 - (e) The Street Maintenance Fee for gasoline stations shall be based on the number of fueling positions.
- (2) The Street Maintenance Fee rates shall be established by Council resolution.
- (3) The rates may be reviewed and amended by Council at any time and any rate adopted shall remain in effect until amended or repealed.
- (4) The program shall be reviewed after three years and the rates shall be re-

established based on the annual average cost of an updated 5-year plan. Any overruns and underruns recorded during the three-year period shall be factored in as part of the re-establishment of the fee rates.

- (5) The Finance Director shall review the revenue received from the Street Maintenance Fee after the first full year following implementation. If the revenues are not meeting the annual funding level set from the 5-year maintenance plan, the Finance Director, in coordination with the City Engineer, may recommend a fee increase sufficient to meet that funding level. Council may, at its discretion, increase the fees through resolution based on the Finance Director's recommendation.
- (6) In recognition that religious institutions have minimum parking space requirements that are relatively large in comparison to the actual use of those spaces, the fee for religious institutions shall be based on one-half of the minimum parking space requirements for each religious institution.

15.20.060 Determination of Amount, Billing and Collection of Fee.

- (1) The minimum required number of parking spaces or the number of fueling positions for each occupied unit of nonresidential property shall be determined by the City Engineer. For uses not explicitly listed in the Tigard Development Code as to required parking, the City Engineer shall assign the use to the most similar category, considering at least the following factors as well as any other relevant information:
 - (a) The size of the site and the building;
 - (b) The number of employees;
 - (c) Other developed sites with similar use.
- (2) The City Engineer shall establish the amount of Street Maintenance Fee payable for each unit of nonresidential property and shall inform the Finance Director of the amount. The amount payable shall be redetermined if there is a change in use or development. All redeterminations based on a change in use or development shall be prospective only. The Finance Director shall charge the per-unit Street Maintenance Fee to the responsible party for each occupied unit of residential property.
- (3) The Street Maintenance Fee shall be billed to and collected from the responsible party for each occupied unit. Billings shall be included as part of the bimonthly water and sewer bill for occupied units utilizing City water and/or sewer, and billed and collected separately for those occupied units not utilizing City water and/or sewer. All such bills shall be rendered bimonthly by the Finance Director and shall become due and payable upon receipt.
- (4) Collections from utility customers will be applied first to interest and penalties, then proportionately among the various charges for utility services and street maintenance.

(5) An account is delinquent if the Street Maintenance Fee is not paid by the due date shown on the utility bill. The City may follow the procedures for collection of delinquent accounts set forth in Section 12.03.030 and/or 12.03.040, including termination of water and/or sanitary sewer service.

15.20.070 Waiver of Fees in Case of Vacancy.

- (1) When any developed property within the City becomes vacant as described in Subsection 3, upon written application and approval by the Finance Director, the Street Maintenance Fee shall thereafter not be billed and shall not be a charge against the property.
- (2) The Finance Director is authorized to cause an investigation of any property for which an application for determination of vacancy is submitted to verify any of the information contained in the application. The Finance Director is further authorized to develop and use a standard form of application, provided it shall contain a space for verification of the information and the person signing such form affirm under penalty for false swearing the accuracy of the information provided therein.
- (3) For purposes of this section, a unit of property is vacant when it has been continuously unoccupied and unused for at least thirty (30) days. Fees shall be waived in accordance with this section only while the property remains vacant. Any occupancy or use of the property terminates the waiver. The City may charge any property with the appropriate Street Maintenance Fee, including charges for prior billing periods, upon determining by whatever means that the property did not qualify for waiver of charges during the relevant time. The decision of the Finance Director under subsection (1) and (2) shall be final.

15.20.080 Administrative Provisions and Appeals

- (1) The City Engineer shall have the initial authority and responsibility to interpret all terms, provisions and requirements of this chapter and to determine the appropriate charges thereunder. The City Engineer's determination of the amount of the Street Maintenance Fee to be charged to each occupied unit may be challenged by submission of a written application to the City Engineer. The application shall be submitted in sufficient detail to enable the City Engineer to render a decision.
- (2) Within 30 days of the submission of a complete application challenging the amount of the Street Maintenance Fee to be charge to an occupied unit, the City Engineer shall cause a decision to be made on the application. The decision shall be written and shall include findings of fact and conclusions for the particular aspects of the decision, based upon applicable criteria. A copy of the decision shall be mailed to the person submitting the request. The City Engineer shall maintain a collection of such decisions. Decisions of the City Engineer, which affect the amount of fee to be charged to a property, shall be forwarded to the

Finance Director. Except as provided under subsection (4) of this section, the decision of the City Engineer is final.

- (3) The City Engineer may determine that the land use category is proper and that the fee charged is appropriate. However, if the decision of the City Engineer results in a change in the category of land use, the City Engineer shall assign a new use category, determine the appropriate fee for the category, and notify the Finance Director so that the appropriate change may be made in the applicable fee to be charged in the future. No back charges or refunds shall be allowed. The decision of the City Engineer under this subsection (3) only, may be appealed to the City Council.

- (4) A Responsible Party who disputes the determination of the City Engineer as to use category or number of required parking spaces may file a written appeal with the City Manager. All appeals must be submitted within ten (10) days from the date of the City Engineer's decision, together with a filing fee in an amount set by Council by resolution. The application for appeal shall specify the reasons the appeal. No other appeals shall be permitted.

- (5) The City Manager shall schedule appeals for City Council review and notify the appellant not less than ten (10) days prior thereto of the date of such Council review. The Council shall conduct a hearing during a public meeting and determine whether there is substantial evidence in the record to support the interpretation given by the City Engineer. The Council may continue the hearing for purposes of gathering additional information bearing on the issue. The Council shall make a tentative oral decision and shall adopt a final written decision together with appropriate findings in support thereof. The decision of the Council shall be limited to whether the appellant has been assigned to the appropriate use category, or whether the appropriate minimum parking space requirement or number of fueling positions has been correctly identified. If the Council should determine that a different use category should be assigned, or that the minimum parking space requirement should be revised, it shall so order, provided no refund of prior Street Maintenance Fees shall be given. Only where the Council decision results in a change in use category and/or change in the minimum parking space requirement will the filing fee on the appeal be refunded. The Council decision shall be final.

15.20.090 Administrative Policies.

- (1) The following policies shall apply to the operation and scope of this chapter:
 - (a) Street Maintenance Fees imposed under this chapter shall apply to all occupied units, occupied units owned and/or occupied by local, state and federal governments, as well as property which may be entitled to exemption from or deferral of ad valorem property taxation.
 - (b) Publicly owned park land, open spaces and greenways shall not be subject to the Street Maintenance Fee unless public off-street parking designed to accommodate the use of such areas is provided.

- (c) Areas used for commercial farming or forestry operations shall be billed according to the use of any structures on the site. Where a site is used exclusively for farming or forestry and not for residential or commercial uses, the site shall not be subject to the Street Maintenance Fee. Where there are different seasonal uses of structures on farm or forest land, the use category shall be determined by examining the use for the longest portion of the year. Where more than one use is made of a farming or forestry, then each use shall be examined separately and combination of use categories shall be used to determine the Street Maintenance Fee.
 - (d) Areas encompassing railroad and public right-of-way shall not be subject to the Street Maintenance Fee.
 - (e) Railroad property containing structures, such as maintenance areas, non-rolling storage areas and areas used for the transfer of rail transported goods to non-rail transport shall be subject to Street Maintenance Fees.
 - (f) For newly developed properties, the fees imposed under this chapter shall become due and payable from and after the date when the developed property is connected to the public water or sanitary sewer system.
- (2) The City Engineer is authorized and directed to review the operation of this chapter and where appropriate recommend changes thereto in the form of administrative policies for adoption of the City Council by resolution. Administrative policies are intended to provide guidance to property owners, subject to this chapter, as to its meaning or operation, consistent with policies expressed herein. Policies adopted by the Council shall be given full force and effect, and unless clearly inconsistent with this chapter shall apply uniformly throughout the City.
- (3) If an occupied unit of nonresidential property is used for more than one use with different minimum parking requirements, the Street Maintenance Fee shall be based on the required parking for the total of the various uses.

15.20.100 Penalty.

In addition to any other remedy, violation of any provision of this chapter shall be a Class A Civil Infraction. Each day of delinquency in paying the Street Maintenance Fee constitutes a separate violation.

15.20.110 Severability.

(1) In the event any section, subsection, paragraph, sentence or phrase of this chapter or any administrative policy adopted herein is determined by a court of competent jurisdiction to be invalid or unenforceable, the validity of the remainder of the chapter shall continue to be effective. If a court of competent jurisdiction determines that this chapter imposes a tax or charge, which is therefore unlawful as to certain but not all affected properties, then as to those certain properties, an exception or exceptions from

the imposition of the Street Maintenance Fee shall thereby be created and the remainder of the chapter and the fees imposed thereunder shall continue to apply to the remaining properties without interruption.

(2) Nothing contained herein shall be construed as limiting the City’s authority to levy special assessments in connection with public improvements pursuant to applicable law.

SECTION 2: An emergency is declared to protect the health and safety of Tigard citizens to prevent delay in implementation of street repair and maintenance. The portion of Section 1 of this ordinance establishing Tigard Municipal Code section 15.20.020 shall take effect immediately on passage. The remainder of Section 1 shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2003.

Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2002.

James E. Griffith, Mayor

Approved as to form:

City Attorney

Date

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CITY OF TIGARD, OREGON

RESOLUTION NO. 03-_____

A RESOLUTION AMENDING RESOLUTION NO. 03-25 (MASTER FEES AND CHARGES SCHEDULE) TO ESTABLISH THE STREET MAINTENANCE FEE RATES IN ACCORDANCE WITH CITY OF TIGARD ORDINANCE NO. 03-_____.

WHEREAS, a Street Maintenance Fee has been established by Ordinance No. 03-_____ ; and

WHEREAS, the Street Maintenance Fee rates are to be established by Council resolution using the City's 5-year maintenance and reconstruction plan for corrective and preventative maintenance of the City's street infrastructure in accordance with the Street Maintenance Fee ordinance; and

WHEREAS, the City of Tigard has a preventative and corrective maintenance backlog exceeding \$4 million dollars; and

WHEREAS, the City's 5-year plan currently establishes an annual amount of \$800,000 as a reasonable amount for use in addressing both the maintenance backlog over time and needed street maintenance on the street infrastructure as necessary; and

WHEREAS, other funding sources from the State dedicated strictly to street maintenance may become available through legislation; and

WHEREAS, the Street Maintenance Fee ordinance establishes the method for determining residential and non-residential rates.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Resolution No. 03-25 is hereby amended to include the Street Maintenance Fee. The rates shall be based on attaining an annual revenue of \$800,000 allocated as follows using estimated costs in the City's 5-year maintenance and reconstruction plan.

A. Residential Rates:

Residential share of the annual cost: \$464,000

Monthly residential rate per unit: \$2.20

B. Non-Residential Rates

Non-residential share of the annual cost: \$336,000

Monthly non-residential rates: \$0.80 per parking space or fueling position.

SECTION 2: Exhibit 1 shows the breakdown of the residential and non-residential shares over a five year period.

SECTION 3: The filing fee for a written appeal to the use category or number of required parking spaces assigned shall be in the amount of \$300.00

EFFECTIVE DATE: This resolution shall take effect immediately.

PASSED: This _____ day of _____, 2003.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

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AGENDA ITEM # _____
FOR AGENDA OF October 21, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Communication Plan Update

PREPARED BY: Elizabeth Newton DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

1. An update on the city's communication efforts.
2. A discussion on neighborhood associations.

STAFF RECOMMENDATION

Based on the suggestion of the Blue Ribbon Task Force members, do some initial research on the formation of neighborhood associations.

INFORMATION SUMMARY

This is an update on the city's major communication efforts: the Focus on Tigard program, the revised Communication Plan, press releases, Community Connectors, cable television, Cityscape, the web site, the TVTV Bulletin Board and a discussion on neighborhood associations.

OTHER ALTERNATIVES CONSIDERED

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Community Character and Quality of Life Goal 1, Strategy 1, "Improve communication about all aspects of the city's business."

ATTACHMENT LIST

October 9, 2003, memorandum from Liz Newton regarding the "Update on the City's Communication Efforts."

FISCAL NOTES

None



MEMORANDUM

CITY OF TIGARD

13125 SW Hall Blvd.
Tigard, OR 97223
Phone 503-639-4171
Fax: 503-684-7297

TO: Honorable Mayor and City Council

FROM: Liz Newton, Assistant to the City Manager

DATE: October 9, 2003

SUBJECT: Update on the City's Communications Efforts

This memo provides an update on the status of many of the tools used to communicate with citizens and promote their involvement in community issues.

Focus on Tigard

Focus on Tigard continues to be a valuable tool to inform citizens about upcoming events, programs and projects, and educate citizens about current programs.

Over the last six months, Focus topics have included the volunteer program, parks, land use 101, affordable housing, the housing code, and the Bull Mountain annexation outreach.

The Focus on Tigard productions continue to improve in quality and involve less staff time and resources to produce.

Communication Plan

A revised Communication Plan was distributed to all departments in August. In addition, presentations were made at All Employee meetings in August on the new Communication Plan. The presentations emphasized the importance of developing and implementing communication plans for major projects and program changes or new programs, and new communication tools such as the TVTV Bulletin Board. Staff has been directed to include communication plans in packet materials to Council for all major projects and programs.

Press Releases

Staff continues to fax at least one press release per week to newspapers regarding a current issue, event or program. An average of 79% per month were printed from March through August.

Community Connectors

Regular communications continue. Four new connectors were added at the community outreach meetings in April and May with three others considering the program.

Interestingly, in the last month, staff has been contacted by three people who have expressed interest in becoming connectors. Two of those contacted staff after reading about the program in the Bull Mountain Annexation Plan insert in *Cityscape*.

Cable Television

The Network Services Division has implemented an in-house civic studio training program. Three city staff members are currently being trained by Chris Myers, the city's Network Services Technician who is also trained as a Producer/Director/Camera Operator. The new trainees should be certified to operate cameras in a month or two.

The goal of the training program is to expand the city's cable program production capacity and maximize the use of the civic studio.

Cityscape

As part of the 03-04 budget, the *Cityscape* is now being distributed nine times a year.

The October/November issue was received by households at the end of September. The December/January issue will be received at the end of November. Staff is focusing on shorter articles and directing readers to the city's web page for more detailed information on topics.

Web Site

Staff continues to add new features to the web page. Citizens can now access the Community Assessment Program (CAP) for a report on their area a couple of weeks after the CAP team walk. In addition, there is a map of the CAP areas and a walk schedule that citizens can view to determine when the CAP team will be in their neighborhood. In the last 6 months, visits to the city's web site have increased from 30,703 to 34,589 per month.

Bulletin Board

Staff is placing four to five new slides per month on the TVTV Bulletin Board. The Bulletin Board is used primarily to announce city programs and events.

Neighborhood Associations

At a recent Mayor's Blue Ribbon Task Force, the suggestion was made that the city pursue the formation of neighborhood associations. City staff investigated the formation of neighborhood associations a number of years ago but recommended to Council that a neighborhood association program not be formed due to the cost needed to implement the program.

Staff proposes to do some initial research by contacting cities with neighborhood associations to gather information on structure, costs, benefits and disadvantages of neighborhood associations. Staff will present the findings to City Council with the communication plan update in April 2004.